

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY
STATE OF MISSOURI

FILED

AUG 12 2021

STATE OF MISSOURI, ex rel.
Attorney General, Eric S. Schmitt

JOAN M. GILMER
CIRCUIT CLERK ST LOUIS COUNTY

Plaintiff,

Case No. 21SL-CC01001

v.

Division: 21

JEFFREY ANDERSON,

Defendant.

DEFAULT JUDGMENT

The Court takes up Plaintiff State of Missouri's Renewed Motion for Default Judgment. Plaintiff appears by Assistant Attorney General Stephen Hoeplinger. Defendant Jeffrey Anderson does not appear. Having heard all the evidence and reviewed the pleadings, the Court hereby grants Plaintiff's motion and enters judgment against Defendant Jeffrey Anderson and finds as follows:

1. On March 1, 2021, Plaintiff filed a Petition for Injunction, Restitution, Civil Penalties, and Other Relief.

2. The Petition alleged violations of Chapter 407 RSMo., the Missouri Merchandising Practices Act.

3. On March 18, 2021, a copy of the summons and Petition was served on Defendant Jeffrey Anderson.

4. On June 25, 2021, Plaintiff filed its First Amended Petition for Injunction, Restitution, Civil Penalties, and Other Relief ("Amended Motion"). Defendant was served with a copy of the Amended Petition via U.S. Mail, first-class pre-paid, the same day.

5. Under Missouri Supreme Court Rules 55.25(a) and 44(e), Defendant Jeffrey Anderson was required to answer or otherwise respond to the Petition by July 29, 2021.

6. Defendant Jeffrey Anderson has not filed an Answer or any other responsive pleading to Plaintiff's Amended Petition to date.

7. Plaintiff is entitled to a default judgment against Defendant Jeffrey Anderson under Missouri Supreme Court Rule 74.05(a).

WHEREFORE IT IS ORDERED, ADJUDGED, AND DECREED that final judgment is entered in favor of the State of Missouri and against Defendant Jeffrey Anderson. It is hereby ordered the facts alleged in the State's Petition are deemed admitted pursuant to Missouri Supreme Court Rule 55.09.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant violated §407.020, RSMo, by falsely promising that, in exchange for an upfront payment from consumers, Defendant would perform construction, renovation, and remodeling services at consumers' residences in a timely and workmanlike manner. Such representations were false and

misleading as to Defendant's willingness and/or ability to perform the work. Defendant knew his statements were false and intended that they deceive consumers. Consumers actually and justifiably relied on Defendants' false representations and were damaged thereby.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that per §407.100.1, RSMo, Defendant and his agents, employees, representatives, successors, assignees, and other individuals acting at his direction or on his behalf are hereby enjoined from engaging in any conduct that violates §407.020, RSMo, in the State of Missouri.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that per §407.100.1, Defendant, his agents, employees, representatives, successors, assignees, and other individuals acting at his direction or on his behalf are hereby enjoined from accepting advance payments from consumers for construction, renovation, and/or remodeling services.

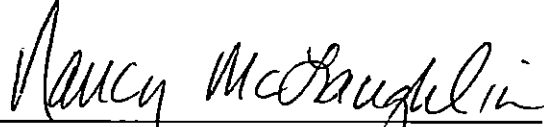
MONETARY JUDGMENT

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall pay \$245,921.00 as restitution per §407.100.4, RSMo. Exhibit 3 to Plaintiff's Motion (and attached to this Judgment) sets forth the names and amounts of payment awarded to each consumer as restitution.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall pay a civil penalty of \$10,000 to the State of Missouri per §407.100.6, RSMo.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that per §407.140.3, RSMo, Defendant is liable for and shall pay or cause payment to be made in the amount of \$24,592.10 to the State of Missouri, an amount equal to 10% (ten per cent) of the restitution ordered above, which amount is to be credited to the Merchandising Practices Revolving Fund.

SO ORDERED:


Hon. Nancy Watkins McLaughlin
Circuit Judge

Date: 8/12/21